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TOM LYTHGOE, CHAIR

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KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
July 5, 2005**

Present: Commissioners Weber and Notbohm; Ben Sautter, Road Supervisor; Tom Harrington and Scott Mendenhall, JLDC; Rick Hotaling, BLM; Jan Anderson, *Boulder Monitor/Jefferson County Courier*, Mark Steketee, Robert Donat, Mike Gabse

Absent: Commissioner Lythgoe

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

RICK HOTALING - BLM - STATUS OF RESOURCE MANAGEMENT PLAN

Rick Hotaling with the BLM stated that he was there to update the Commission on the status of the resource management plan (RMP). The Commission was sent a CD which contained a sneak peek of the RMP. He stated that there is no preferred alternative yet. Commissioner Weber asked if someone is using resources under the old plan, will a new prescriptive use change their use, or will they be grandfathered in. Rick stated that it is hard to say; in some cases yes and in some cases no.

Rick went on to outline some of the big issues. He stated that currently, rangeland health standards only apply to livestock grazing, but the proposal is that it will apply to all BLM lands. They plan to establish riparian protection zones in riparian areas, based on surrounding tree height potential. This will vary from area to area. The BLM wants to manage for old-growth type forests, with fewer, but bigger trees. About 88,000 acres of forest and woodland would be available for forest and fuel treatment, and approximately 12 to 18 million board feet of timber would be harvested per decade.

For wildlife and wildlife habitat management, they will be looking at fences. Some are old, and some may need to be replaced or removed. They plan to restore aspen stands in riparian areas, and restore mahogany and bitterbrush in big game areas. Caves and abandoned mines are good bat habitat, and if public health and safety allow, bat gates will be utilized. Rick stated that there are some special status species on BLM land, such as grizzlies. Commissioner Weber asked if they are looking to extend any habitat areas, or keep them the same. Rick stated that the BLM doesn't set habitat, it is set by the bear; and it is growing every year. Also, travel management will be based on occupied territory.

Livestock grazing would be allowed on about 260,000 acres of BLM land. Rick stated that if grazing allotments are relinquished, several factors, such as urban interface, will be considered before the allotment is re-offered. Commissioner Weber asked, of the projects listed, if there is any that have priority, or if multiple use are all equal priority. Rick stated that the priority changes based on the location and uses.

Rick stated that recreation management will change a lot. Commissioner Weber stated that sometimes when recreation sites are implemented, a campground is built, etc., it has impacts to the road through higher traffic. This comes back to the county; is there any discussion of cost-share to offset the impact. Rick stated that they can't give money to the county for road maintenance. They can work with the county when sites go in regarding impacts, but they are limited on what they can do.

Rick stated that under travel management, the existing will be rolled into the resource management plan. Commissioner Notbohm stated that it takes some coordination with the Forest Service to make this work. Rick agreed that it takes a lot of coordination between the agencies. Commissioner Notbohm stated that at a meeting he attended in Helena several months ago, the Forest Service didn't seem to be very cooperative. Rick stated that he talked to them after that meeting, and they don't want to seem like they have already made a decision. Commissioner Weber asked if the BLM works with other governmental agencies also, or just with other federal agencies. Rick stated that they also work with adjoining landowners.

For wildland fire management, they will develop and implement a new fire management plan. Commissioner Weber asked if they will work with the existing plan, or create their own. Rick stated that they will work with the existing plan when able.

Rick next talked about areas of critical environmental concern (ACEC). Commissioner Weber asked if there are some areas identified as having minerals, will they be open to mining, within guidelines. Rick stated that the BLM does have lease and sale options, and they have identified minerals in the area. If an area is nominated to be an ACEC, it needs to first be reviewed before it is designated as such. If it is designated, it can't be used for something else. Commissioner Weber asked, regarding minerals, will things stay the same, or get more or less friendly to finding minerals. Rick stated that he feels it will stay the same. He stated that the current administration's priority is use of resources.

Tom Harrington stated that as the BLM is working through this, they need to coordinate with the Forest Service and other state agencies and they need to make sure that all the standards mesh. He also stated that the BLM needs to look at economic development possibilities, such as wind generation. Tom mentioned the Golden Sunlight SEIS, and stated that he is not sure where it fits into the decision process. Rick stated that right now it is a joint decision. He will sign for BLM and Richard Oppen for DEQ; they are working jointly. Tom Harrington commented that they hear about grizzly habitat, and now about lynx habitat. The growth of these habitats restricts uses, causes road closures and restricts economic development.

Commissioner Weber stated that the Commission met with Richard Opper with DEQ in support of the no backfill alternative. He stated that they would also like to let Rick know where they stand. He stated that this is needed to protect the water quality. Commissioner Notbohm stated that Mr. Opper indicated that a decision would be made by December, and asked Rick if he had any more information on that. Rick stated that he and Richard will spend a lot of time working this out and writing the opinion. It is slated to be completed the first quarter of FY06, which is October through December. Commissioner Weber thanked Rick for coming.

DISCUSS AMENDMENTS TO COUNTY ROAD STANDARDS

Commissioner Weber stated that the revised standards have been on the county's website and in the libraries, and he hopes that people have had a chance to review them.

Bob Donat stated that he has been extremely busy the last couple weeks, and just got a chance to pull the document off of the web the previous day. There are too many pages to review in that amount of time. He would request that the final decision be put off for a while. Commissioner Weber stated that they are not even sure that this is what they are going to be voting on, and stated that this item will be on the agenda for a while.

DISCUSS AND DECIDE ON ENGINEERING FIRM TO BE ON-CALL ENGINEERING/CONSULTING FIRM

Commissioner Weber stated that this is back on the agenda, after being tabled two weeks ago. Commissioner Weber moved to accept Great West Engineering's proposal to be the on-call engineering firm for Jefferson County. Commissioner Notbohm seconded. Discussion followed. Commissioner Notbohm stated that, to be honest, he didn't get to the point of the proposal that deals with the fees, and asked Commissioner Weber if he had any idea of what kind on money they are looking at. Commissioner Weber stated that it depends on what they are asked to do. Commissioner Notbohm stated that they haven't been able to discuss this. Commissioner Weber stated that they could table this, especially as there is no one from Great West in attendance to address this. Commissioner Weber stated that he would rescind his motion and table this for two weeks. Great West will be contacted to have a representative here to answer questions.

DISCUSS COMMISSION POSITION AS IT RELATES TO MDT'S HIGHWAY 69 PROPOSAL - SHOULD WE COMMENT NOW OR LATER

Commissioner Weber noted that one person is in attendance that indicated that they are here for this topic, and asked if he had any comments. Mark Steketee stated that he is mainly here to listen to the Commission discussion. Commissioner Weber read a letter from Sam Samson (attached). Commissioner Weber stated that on a personal note, at the public meeting, MDT said that they had not developed either option yet. He stated that in their defense. However, in defense of his constituents, 100% of those in attendance were against moving the road. Commissioner Notbohm stated that he was also at the meeting, and moving the road is not what anyone wants. Mark stated that everyone has their own reasons for not wanting the road moved, and all are valid. Economically, it would have a negative impact on ag producers in the area. He stated that unless there is a compelling reason to support this on behalf of the county, the

Commission needs to oppose this. Commissioner Weber stated that in this instance, the Commission finds itself being the public. Mark stated that the Commission has a working relationship with MDT that private citizens don't have. He had problems even getting information, until he invoked the freedom of information act. He stated the more voices against this, the better. Commissioner Weber stated that there are a lot of reasons people are opposed to this. Even homeowners that would be served by a paved road, with no economic impact, such as agricultural, are opposed to this. As a Commission, they need to speak on behalf of the constituents and oppose this. Commissioner Notbohm stated that everyone is opposed to moving the road, but something needs to be done with the current road, noting that federal funds don't come along often. This is a dangerous stretch of road, and something needs to be done.

Commissioner Weber moved that the Commission oppose the proposed alternative and support the present route of Highway 69. Commissioner Notbohm seconded. The motion carried, and a letter will be sent to MDT.

CALENDAR REVIEW

- 7/06 District Court budget meeting - 8:30
- 7/07 Meeting with MDT re: Sappington Junction & curve north of Whitehall - 9:30
Whitehall Chamber - noon
Meet re- Sheep Camp Road - 1:30
Health Board interviews - 6:30
- 7/11 Budget meetings - Attorney - 9:00
I.T. - 10:00
Sheriff - 10:30
Weed - 11:30
Facilities - 1:00
Superintendent of Schools - 1:30
Planning
- 7/12 Budget meetings - Sanitarian - 8:30
Road/Solid Waste - 9:00
Treasurer - 10:00
Clerk & Recorder - 11:00
Golden Triangle - Boulder - 5:30

COMMISSION REPORTS

BETSY ALLEN

Commissioner Weber reported that he met with Betsy Allen from Senator Burns' office on Thursday. They discussed several issues, such as the local Forest Service presence, beetle-killed trees and a gravity feed irrigation project. Commissioner Weber stated that she seemed receptive. Commissioner Notbohm stated that he also spoke with her, to discuss the Elkhorn

Cemetery. It is still in the process, but she will check on the progress and let the Commission know where it is in the process.

MOSQUITOS

Commissioner Notbohm stated that the mosquito problem in Boulder is better. The plane has been out, as well as the foggers.

OPPORTUNITY FOR PUBLIC COMMENT

Mike Gabse, Boulder resident, asked Commissioner Notbohm if he has talked to the Sheriff's office yet. Commissioner Notbohm stated that he has, as well as the mosquito board chair. The plane did fly on Sunday, but it has never flown over town before. Mike stated that he walked out into it, and he didn't realize what it was at first. He stated that his entire body puffed up and blistered. He has no problem with abating mosquitos, but there was no warning and it seemed very close to town. Commissioner Notbohm stated that he will check it out. Commissioner Weber asked if it was windy at that time. Mike stated that it was calm; he heard the plane and went outside, as it sounded close. Commissioner Notbohm stated that he has been studying the chemicals, and what happened is not supposed to; not that it didn't. He stated that the chemicals are such that they should cause problems. Mike stated that he just finished an antibiotic, and that he is hyper-allergic.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER